

APPROVED AS AMENDED BY THE BOARD OF SELECTMEN

**TOWN OF DARIEN
BOARD OF SELECTMEN
REGULAR MEETING
FEBRUARY 21, 2006**

ATTENDANCE: First Selectwoman Evonne Klein; Kevin Newman;
Linda Santarella; Barbara Thorne; Susan Young

STAFF: John Crary, Administrative Officer

CALL TO ORDER

First Selectwoman Klein called the Regular Meeting to order at 7:00 p.m.

PUBLIC COMMENT

There were no comments from the public.

FIRST SELECTWOMAN'S REPORT

CL&P GLENBROOK CABLES PROJECT

The First Selectwoman reported that she met with the engineer team today. The D&M plan is 50% complete. Her expectation is to receive the 60% plans by early April, review them for comments and hold public meetings with representatives from CL&P for public input, questions and concerns. The plans will then be submitted to the CSC for review, and then there will be one month to comment, before final approvals.

She added that she met with representatives from CL&P and with the residents of Brookside Drive to address their concerns and answer questions. Several months ago the neighbors put forward a number of requests and it seems at this time CL&P has been able to satisfy their requests. The number one request is that the splice vaults be placed at least 300' from a property line and that the cables remain at least 50' from their homes. CL&P is in the process of getting approvals from the neighbors to complete the survey work as well as obtaining right of way and easements from any property owners.

GRANT MONEY FOR GALLIVANT SERVICES

Ms. Klein reported that Social Services is in the process of completing a grant application to secure additional funding for gallivant services. The Town has the opportunity to receive up to \$20,000. These funds, should they receive them, will enable the Town to expand its services.

HUMAN SERVICES COUNCIL

Ms. Klein reported that they will be coming to meet with the Board of Selectmen in March.

DOMESTICE VIOLENCE TASK FORCE

Ms. Klein reported that they have been meeting monthly at Town Hall and will meet with the Board of Selectmen in the future.

WESTON MEETING

Ms. Klein reported she attended a meeting with other CEO's from neighboring communities to address myspace.comblog on Thursday.

WEIGH IN ON FEDERAL BUDGET

Ms. Klein reported that she has been invited to go to Hartford on the 28th to weigh in on the federal budget and Darien's needs with Lieberman's staff. She stated that she is looking forward to this opportunity.

ALLEN O'NEILL NEIGHBORHOOD ASSOCIATION

Ms. Klein reported that the Board of Selectmen have been invited to meet with the Allen O'Neill Neighborhood Association. She asked that, as part of the FOI Act, they provide her with the proper address of where they would be meeting so that it could be posted. Ms. Thorne commented that she looked forward to meeting with them.

UPCOMING MEETINGS

Ms. Klein reported that she is awaiting final confirmation on the date for the Town's annual meeting with the DOT. She will conduct an after action review of the incident that occurred on I-95 in early January on 3/20.

ADMINISTRATIVE OFFICER'S REPORT

Mr. Crary reported that he had been in contact with Dr. David Reed, Director of the New Canaan Health Department and Co-Chairman of the Health District Planning Committee. He reported that he had prepared a spreadsheet of the costs and staff for tomorrow's meeting.

REPORT ON THE STATUS OF THE HEALTH DISTRICT PLANNING COMMITTEE

Susan Young reported that the Committee met on February 9th, which was a planning meeting. She stated that she received agendas and information that she will review. The next meeting is scheduled for March 20th. She also reported that the Stamford Advocate had an article in today's newspaper pertaining to Darien and New Canaan forming a Committee to examine whether a combined health district would be cost effective and efficient for both towns.

Mr. Newman asked if they were also looking into joining with other districts. Mr. Crary reported that they have already talked to Wilton and if it made sense to combine New Canaan and Darien, then they would look into joining with other like communities.

NEW BUSINESS

a) Presentation by Darien Coalition to Address At-Risk Behaviors (DCAARB)

Meaghan Gorman, Director of the Family & Youth Options and Chairman of DCAARB spoke about the teen drinking problem. She stated that teens today are now taking their first drink at 11 ½ years of age and have more knowledge of prescription medications. She stated that DCAARB is directed at the parents who have the greatest influence over the teens choices. She reported that there is a new program, the Darien Party Scene, and they will meet on March 8th at the High School auditorium at 7:30 p.m.

b) Discuss and Take Action to transfer \$45,000 from the Contingency Account to cover the initial costs of the Darien Housing Authority Pre-Construction costs

**** MS. YOUNG MOVED TO APPROVE THE TRANSFER OF \$45,000 FROM THE CONTINGENCY ACCOUNT TO COVER THE INITIAL COSTS OF THE DARIEN HOUSING AUTHORITY PRE-CONSTRUCTION COSTS.**

**** MR. NEWMAN SECONDED.**

Mr. Newman stated that there was a lot of public interest in this and he would like to discuss the history of it. He reported that the Board of Selectmen had been discussing affordable housing on their previous Board agendas and on February 7th he met with Ann Lynn, Chair, Darien Housing Commission, to discuss Allen O'Neill in general and found out they were coming forward with a request. He added that plans to develop Allen O'Neill have been on the table for an extensive period of time. He stated that this request was for seed money to formulate a plan. Mr. Newman stated that all the funds up to July 1 should come from contingency and anything after should be part of the 06/07 budget. He asked Ann Lynn to find out what funds were needed until July 1st and then the remainder would be put forward as a capital expense in the Town's budget. Ms. Thorne read a statement in which she stated that the first time she became aware that the Darien Housing Authority had a serious proposal ready for the public was when they asked to be on the Board's agenda this evening. She was surprised that Mr. Newman proposed adding dollars to the Board of Selectmen's budget ahead of the Darien Housing Authority's presentation to the Board. She stated that normally budget requests go through the Town Administrator's office or to the agency involved and she took issue with this because it was not the customary way it got into the Board of Selectmen's budget. She continued that many questions remain as to what criteria was used to arrive at this recommendation, what is the role in for planning and development for current residents, and what is the role of the Board of Selectmen. She stated that this proposal was one way to address affordable housing needs in Darien and she remained an advocate

for an Affordable Housing Task Force to look at the entire Town and suggest potential solutions and potential locations. She stated that she wished to go on record in support of additional housing options in Darien – not driven by an arbitrary state statute, but because it was the right thing to do, not in one location alone but in others that are appropriate also.

Ms. Santarella asked how they arrived at the number \$45,000 was she confident with the number. Ms. Lynn replied that \$45,000 will be used before July 1st and then \$150,000 will be available for the new fiscal year. She stated that the number does not include architectural work. She stated that the funds will be used for legal counsel, a survey, a land use specialist, and a consultant, with the bulk of the money not being spent until the fall. Ms. Santarella stated that she would like input from the RTM. Ms. Lynn stated that there is a time restraint to take advantage of syndicated tax credits offered once a year. Ms. Klein stated that the Housing Commission had an opportunity to submit a request from contingency in December and January and to submit a request in the 06/07 budget. At any time they could have come forward. Ms. Thorne stated that she would like the RTM to weigh in on this so people have a chance to think about it. She stated that the existing residents should be actively involved in the process. Ms. Lynn stated that they did not have a plan so it was difficult to get feedback from anyone. She added that she met with the residents twice.

Ms. Young stated that something was in front of them and they would be remiss to not move forward on it. She stated that they should make them do a study and if it was not beneficial to the Town, then nothing was lost. Mr. Newman believed the process was correct and since they were coming forward with this request, it was the responsibility of the Board of Selectmen to vote on this and then it would go to the Board of Finance and the RTM for approval. He commented that it was the most cost effective way to improve housing and because the land was owned by someone else, there was no expense to the Town except for seed money. He supported moving ahead with it now. Ms. Thorne stated that she supported affordable housing in Darien but had a problem with the process. Ms. Santarella stated that she thought the amount requested was for \$50,000 but now that it was \$45,000 it meant that they were not going through the process. She supported what they were doing, but not the amount and that it is not going to the RTM. She thanked the residents for coming this evening and wanted to let them know that there was no plan right now.

Mr. Robert Young, District B, PZ&H Chairman, stated that he found this out today and he would like the chance to look at it because it was a significant proposal with zoning issues. He thought it was a good proposal but he had many questions. He stated that the PZ&H was meeting with Ann Lynn this evening. Karen Chia, who lives at Allen O'Neill Drive, stated that in the past the State had made repairs to improve their houses and now they wanted to take them down. She stated that they should have answers. Lucy Ruiz, who lives at Allen O'Neill Drive asked what was the rush to push this forward. Karen Armor of the RTM stated that there was no way that the RTM would not be involved. Walter Casy, Allen O'Neill Drive, stated that changing the number from \$45,000 to \$50,000 raised suspicions. Cheryl

Russell of the RTM stated that she would like the opportunity to discuss this and it needed to go to the RTM. Cali Sullivan of the RTM stated that they need to have 10% affordable housing in the Town and people were uneasy with the process and they needed to do it right this time. Ms. Santarella pointed out that they had not been cited by the State.

Ms. Klein stated that this was a very interesting debate. She added that the process was flawed because the Housing Authority had the opportunity to make a proper request.

- ** MS. SANTARELLA MOVED TO AMEND THE PREVIOUS MOTION AND TO APPROVE THE TRANSFER OF \$50,000 FROM THE CONTINGENCY ACCOUNT TO COVER THE INITIAL COSTS OF THE DARIEN HOUSING AUTHORITY PRE-CONSTRUCTION COSTS.**
- ** MS. THORNE SECONDED.**
- ** MOTION PASSED WITH THREE IN FAVOR AND TWO OPPOSED (MS. YOUNG, MR. NEWMAN).**

c) Discuss and Take Action on the 2006/07 Town Budget and the (6) Year Capital Expenditure Plan

- ** MS. THORNE MOVED TO CUT \$600.00 FROM THE BOARD OF SELECTMEN'S BUDGET FOR TELECOMMUNICATIONS.**
- ** MS. YOUNG SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

- ** MS. SANTARELLA MOVED TO CUT \$700.00 FROM THE BOARD OF SELECTMEN'S BUDGET FOR OFFICE SUPPLIES.**
- ** MS. YOUNG SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

- ** MS. THORNE MOVED TO CUT \$1,000 FROM THE ADMIN. OFFICER'S BUDGET FOR COPY EQUIPMENT.**
- ** MS. SANTARELLA SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

- ** MS. SANTARELLA MOVED TO CUT \$500.00 FROM THE ADMIN. OFFICER'S BUDGET FOR PART TIME SALARY.**
- ** MS. THORNE SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

- ** MS. SANTARELLA MOVED TO CUT \$150.00 FROM THE ASSESSOR'S BUDGET FOR OFFICE SUPPLIES.**
- ** MS. THORNE SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

**** MS. THORNE MOVED TO ADD \$10,000 TO REGULATORY COUNSEL BUDGET.**

**** MS. SANTARELLA SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

**** MS. YOUNG MOVED TO CUT \$3,000 FROM THE REGISTRAR'S MAILING & SHIPPING BUDGET.**

**** MS. THORNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

**** MS. SANTARELLA MOVED TO CUT \$2,000 FROM THE BEAUTIFICATION COMMITTEE'S BUDGET.**

**** MS. THORNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

**** MS. YOUNG MOVED TO CUT \$25,000 FROM THE POLICE OVERTIME BUDGET.**

**** MS. SANTARELLA SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

**** MS. THORNE MOVED TO CUT \$7,000 FROM THE POLICE-EDUCATION/TUITION BUDGET.**

**** MS. YOUNG SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

The First Selectwoman asked for a motion to cut \$5,050 from the Police – Motorcycle (Set up Costs) budget. The vote failed for lack of a motion.

**** MS. YOUNG MOVED TO CUT \$500.00 FROM THE PUBLIC WORKS – SEASONAL & TEMPORARY BUDGET.**

**** MR. NEWMAN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

The First Selectwoman asked for a motion to add \$2,250 from the Youth Options. The vote failed for lack of a motion.

**** MS. THORNE MOVED TO ADD \$3,000 TO THE DEPOT BUDGET.**

**** MS. YOUNG SECONDED.**

**** MOTION PASSED WITH FOUR IN FAVOR AND ONE OPPOSED (MR. NEWMAN).**

**** MS. SANTARELLA MOVED TO ADD \$50.00 TO THE HOMELESS CARE BUDGET.**

**** MS. YOUNG SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

**** MS. YOUNG MOVED TO CUT \$665.00 FROM THE HEALTH DEPT. – PROFESSIONAL SERVICES BUDGET.**

**** MS. THORNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

**** MS. YOUNG MOVED TO CUT \$500.00 FROM THE HEALTH DEPT.- SOFTWARE LICENSES & UPGRADES BUDGET.**

**** MS. THORNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

**** MS. YOUNG MOVED TO CUT \$3,400 FROM THE HEALTH DEPT.- OPERATING SUPPLIES BUDGET.**

**** MS. THORNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

**** MS. SANTARELLA MOVED TO CUT \$7,000 FROM THE INFO SYSTEM NETWORK HARDWARE BUDGET.**

**** MS. THORNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

**** MS. THORNE MOVED TO CUT \$5,000 FOR THE EQUIP REPLACEMENT RESERVE CAPITAL BUDGET.**

**** MS. YOUNG SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

**** MS. THORNE MOVED TO CUT \$7,000 FROM THE GIS SOFTWARE CONVERSION CAPITAL BUDGET.**

**** MS. SANTARELLA SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

**** MS. THORNE MOVED TO CUT \$4,000 FROM THE VETERANS MEMORIAL CAPITAL BUDGET.**

**** MS. YOUNG SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

**** MS. YOUNG MOVED TO CUT \$5,000 FROM THE POLICE-INTERIOR SPACE STUDY-RECORDS ROOM CAPITAL BUDGET.**

**** MS. THORNE SECONDED.**

**** MOTION PASSED WITH FOUR IN FAVOR AND ONE OPPOSED (MS. SANTARELLA)**

- ** MS. THORNE MOVED TO ADD \$35,000 TO THE NOROTON FIRE DEPARTMENT BUILDING FUND CAPITAL BUDGET.**
- ** MS. SANTARELLA SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

- ** MS. SANTARELLA MOVED TO ADD \$50,000 TO THE GORHAM POND TIDE GATE CAPITAL BUDGET.**
- ** MS. THORNE SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

- ** MS. THORNE MOVED TO ADD \$7,000 TO THE WEED BEACH IMPROVEMENTS CAPITAL BUDGET.**
- ** MS. SANTARELLA SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

- ** MS. YOUNG MOVED TO ADD \$150,000 TO THE HOUSING AUTHORITY- PRE CONSTRUCTION COSTS IN THE CAPITAL BUDGET.**
- ** MS. SANTARELLA SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

- ** MS. THORNE MOVED TO ADD \$5,000 TO MOVE THE HEAD END FOR THE CABLE TV PROJECT IN THE CAPITAL BUDGET.**
- ** MS. SANTARELLA SECONDED.**
- ** MOTION PASSED WITH THREE IN FAVOR AND TWO OPPOSED (MS. YOUNG, MR. NEWMAN).**

The First Selectwoman asked for a motion to add \$10,000 for the Boulder Ridge Drainage in the capital budget. The vote failed for lack of a motion.

The First Selectwoman asked to waive the reading of the resolution and to approve the FY2006-2007 budget with two amendments and the six-year capital plan.

- ** MS. YOUNG MOVED TO WAIVE THE READING OF THE RESOLUTION TO APPROVE THE FY 2006/2007 BUDGET AND SIX-YEAR CAPITAL PLAN.**
- ** MS. THORNE SECONDED.**
- ** MOTION APPROVED UNANIMOUSLY.**

- ** MS. YOUNG MOVED TO APPROVE THE FY 2006/2007 BUDGET WITH TWO AMENDMENTS; TO LEAVE THE POLICE-MOTORCYCLE SET UP COSTS OF \$5,050 IN THE BUDGET AND TO NOT ADD \$2,250 TO YOUTH OPTIONS IN THE BUDGET, AND TO ALSO APPROVE THE SIX-YEAR CAPITAL PLAN.**
- ** MS. THORNE SECONDED.**
- ** MOTION APPROVED UNANIMOUSLY.**

The First Selectwoman stated that the budget continued to be a roadmap for progress to move the community forward. She thanked Mr. Crary and staff for their availability and their hard work on submitting the budget.

d) Discuss and Take Action on approving the requirements of service for the Emergency Service – Volunteer program

The Board reviewed the number of participants in the program and the cost to the Town. Ms. Klein stated that the emergency volunteers were happy with this program and continue to thank her.

**** MS. THORNE MOVED TO APPROVE THE REQUIREMENTS OF SERVICE FOR THE EMERGENCY SERVICE – VOLUNTEER PROGRAM.**

**** MS. SANTARELLA SECONDED.**

**** MOTION APPROVED UNANIMOUSLY.**

e) Discuss Draft Statement on Affordable Housing

The Board reviewed the revised draft statement on affordable housing. Discussion followed and comments were made. Mr. Newman asked they the reference to State law be deleted. Ms. Santarella stated that she would like there to be nine members on the Committee and that they should report to the Board of Selectmen quarterly. Ms. Klein stated that she will make the revisions suggested and place this on the next Board meeting agenda.

f) Discuss and Take Action on Advisory Commission on Coastal Waters requests:

1. Revisions to article 2 of the resolution establishing the Advisory Commission on Coastal Waters to advise the Board of Selectmen concerning protection and use of Darien's coastal waters and coastline.

Ms. Santarella stated that she did not want to relinquish the responsibility of the coastline to the Advisory Commission. She stated that they were an Advisory Commission that reports back to the Board of Selectmen. She opposed the revision.

Ms. Klein asked for a motion to revise Article 2 of the resolution establishing the Advisory Commission to advise the Board of Selectmen concerning protection and use of Darien's coastal waters and coastline. The vote failed for lack of a motion.

2. Draft of proposed changes to Town Charter dealing with Harbor Waters

**** MS. SANTARELLA MOVED TO APPROVE THE PROPOSED CHANGES**

**** TO TOWN CHARTER DEALING WITH HARBOR WATERS.**
**** MS. YOUNG SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

**g) Discuss and Take Action on extension of agreement with A.L.T.
Environmental Specialists, LLC – 7/1/06 to 6/30/09**

**** MS. SANTARELLA MOVED TO EXTEND THE AGREEMENT WITH A.L.T.
ENVIRONMENTAL SPECIALISTS, LLC FROM 7/1/06 TO 6/30/09.**
**** MS. THORNE SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

**h) Appoint Craig Flaherty and Joseph Kelly to vacancies on the Building
Board of Appeals**

Ms. Klein stated that there was no advertising for these positions and that people with special skill sets were called.

**** MS. THORNE MOVED TO APPOINT CRAIG FLAHERTY AND JOSEPH
KELLY TO VACANCIES ON THE BUILDING BOARD OF APPEALS.**
**** MS. SANTARELLA SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

i) Transfer:

1. Legal Services

Since July 2005 there have been 2 Arbitrations (Police & Public Works), 5 Prohibited Practice Complaints (from Public Works), General Consulting for Police, Public Works & Town Hall Issues which have exhausted the labor counsel budget. In addition, the town will commence union negotiations with the Police & Public Works unions commencing March 1, 2006 which will also incur additional expense. Additional funds are needed to cover these expenses.

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Finance:

From:			To:		
Acct. No.	Account	Amount	Acct. No.	Account	Amount
10704000-86600	Contingency	30,000	10105091-82045	Labor Counsel - Professional Services	30,000
	TOTAL	30,000		TOTAL	30,000

Mr. Crary stated that the budget for Labor Counsel services was exhausted due to two large arbitration expenses and union negotiations with the Police & Public Works unions.

- ** MS. SANTARELLA MOVED TO APPROVE THE TRANSFER FROM ACCOUNT NO. 10704000-86600, CONTINGENCY, IN AMOUNT OF \$30,000 TO ACCT. NO. 10105091-82045, LABOR COUNSEL-PROFESSIONAL SERVICE.**
- ** MS. THORNE SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

2. Police Department

The Employee Education/Tuition account is used to reimburse officers, per the collective bargaining agreement, for expenses related to approved college courses/degrees. This account was funded at a level well below the amount requested. The amount originally requested was based on reports received from officers actively enrolled or planning to enroll in approved courses or an approved course of study. Transfers had already been made into this account to correct shortfalls. This account maintains a negligible balance insufficient to meet demand for the balance of the fiscal year.

There is presently a favorable balance in the Patrol-Full Time Salary account due to staffing vacancies.

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Finance:

From:			To:		
Acct. No.	Account	Amount	Acct. No.	Account	Amount
10302233 81001	Patrol Wages-FT	1,000	10302273 82005	Training-Tuition	1,000
TOTAL		1,000	TOTAL		1,000

Mr. Crary stated that the Tuition account was underfunded and that costs exceeded budget.

- ** MS. THORNE MOVED TO APPROVE THE TRANSFER FROM ACCOUNT NO. 1030223381001, PATROL WAGES-FT, IN THE AMOUNT OF \$1,000, TO ACCOUNT NO. 1032273-82005, TRAINING-TUITION.**
- ** MS. YOUNG SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

AGENDA REVIEW

Ms. Klein stated that she distributed a draft of the upcoming agenda items.

FORTHCOMING MEETINGS

- March 6, 2006 Board Meeting at 7:00 p.m.
- March 20, 2006 Board Meeting at 7:00 p.m.

Ms. Klein stated that the time of the March 20th meeting is being changed to 5:30 p.m.

OTHER BUSINESS

(A two-thirds majority vote is required to add an item to the agenda)

**** MR. NEWMAN MOVED TO ADJOURN THE MEETING.**
**** MS. SANTARELLA SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:45 p.m.

Respectfully Submitted,

Donna DeVito
Telesco Secretarial Services